

REMARKS

Claims 8 to 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto et al. (US 5,865,265).

Reconsideration of the application based on the following is respectfully requested.

Rejection Under 35 U.S.C. §103(b)

Claims 8 to 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto et al. (US 5,865,265).

Matsumoto et al. discloses a vehicle travel aiding device for sensing running conditions of the vehicle and outputting vehicle travel supporting information, which is featured by detecting ambient circumstances and road conditions on which the vehicle is and operating driver's brake operation response on accelerator release response and changing the outputting timing or the content of the supporting information according to the detection results. (Abstract). One embodiment provides a vehicle travel aiding device which is capable of outputting an alarm when approaching a preceding vehicle and giving an instruction for driving or operating an automatic brake. (Col. 4, Lines 62 to 65).

Claim 8, as amended, recites a method for performing inter-vehicle distance control on a vehicle comprising:

determining an actual value of a distance variable describing a distance between the vehicle and a vehicle traveling in front;

determining a plurality of weighting values for the distance variable as a function of input variables describing a driving situation of the vehicle and/or an ambient situation of the vehicle and/or a driving behavior of a driver and determining a set point value for the distance variable as a function of the input variables

decreasing a velocity of the vehicle when the determined actual value of the distance variable is less than the determined set point value of the distance variable and increasing the velocity of the vehicle when the determined actual value of the distance variable is greater than the determined set point value of the distance variable so that the determined actual value of the distance variable assumes the determined set point value of the distance variable; and

multiplying the weighting values by one another to determine the set point value of the distance variable.

It is respectfully submitted that Matsumoto et al. does not teach or disclose “decreasing a velocity of the vehicle when the determined actual value of the distance variable is less than the determined set point value of the distance variable and increasing the velocity of the vehicle when the determined actual value of the distance variable is greater than the determined set point value of the distance variable so that the determined actual value of the distance variable assumes the determined set point value of the distance variable (emphasis added),” as now recited in claim 8. Matsumoto et al. discloses automatically braking “to keep the necessary intervehicular distance if the current distance is shorter than the calculated proper distance.” (See Col. 5, Lines 9 to 12; Figs. 3 and 6), but is inoperative if the actual intervehicular distance is larger than the necessary intervehicular distance. Thus Matsumoto et al. does not disclose the “increasing the velocity of the vehicle when the determined actual value of the distance variable is greater than the determined set point value of the distance variable” requirement of claim 8.

Furthermore, it is admitted by the Examiner at page 3 of the Office Action that Masumoto et al. does not disclose “multiplying the weighting values by one another to determine the set point value of the distance variable,” as recited in claim 8. It is respectfully submitted that it also would not have been obvious to one of skill in the art to have modified Masumoto et al. to include this limitation. Masumoto et al. discloses correction factors which are dependent upon the driver’s response, the ambient circumstances and the road conditions. (See Col. 9, Lines 36 to 65). However, Masumoto et al. does not disclose multiplying these correction factors by one another, but instead discloses adding these factors to a basically calculated distance. (See Col. 9, Line 65 to Col. 9, Line 13). Applicant respectfully submits that it would not have been obvious to one of skill in the art to have multiplied the corrective factors of Masumoto et al. by one another because doing so would produce different results than the method taught in Masumoto et al. and the Examiner provides no evidentiary support demonstrating that it would have been effective to have modified Masumoto et al. by multiplying the corrective factors by one another instead of adding them.

Withdrawal of the rejection under 35 U.S.C. § 103(b) of claim 8, and claims 9 to 13 depending therefrom, is respectfully requested.

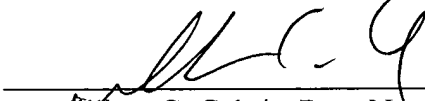
Claim 14 recites limitations similar to the limitations recited in claim 8.

In view of the arguments above with respect to claim 8, withdrawal of the rejection under 35 U.S.C. § 103(b) of claim 14 is respectfully requested.

Conclusion

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,
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